

October 6, 2005



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 12102
(THIRTEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain unapproved Class 1 explosive materials desensitized by wetting with water, alcohol or other suitable diluent so as to eliminate their explosive properties (Removal of the desensitizing agent may restore the material's explosive properties). This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.56(i) in that the materials were not examined in accordance with § 173.56(b), except as specified herein.
5. BASIS: This special permit is based on the application of Onyx Environmental Services, L.L.C. dated September 7, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Waste, Flammable solid, corrosive, organic, n.o.s. (trinitrobenzene sulfonic acid, not to exceed 1 percent in water)	4.1	UN2925	II
Waste, Flammable solid, corrosive, organic, n.o.s. (trinitrochlorobenzene, not to exceed 1 percent in water)	4.1	UN2925	II
Waste, Flammable solid, organic, n.o.s. (hexanitrodiphenylamine, not to exceed 1 percent in clay and pyridine)	4.1	UN1325	II
Waste, Flammable liquid, n.o.s. (trinitrofluorenone, not to exceed 1 percent in ethanol and water)	3	UN1993	II
Waste, Flammable solid, organic, n.o.s. (smokeless powder, not to exceed 10 percent in water)	4.1	UN1325	II
Waste, Flammable liquid, n.o.s. (nitrobromobenzene, not to exceed 10% in ethanol)	3	UN1993	II
Waste, Flammable liquid, n.o.s. (tert-butoxy carbonyl azide, not to exceed 1% in acetone)	3	UN1993	II
Hazardous Waste liquids, n.o.s., (tetra ethyl ammonium perchlorate, not to exceed 1% in water)	9	NA3082	III
Waste, Environmentally Hazardous liquids, n.o.s., (tetra ethyl ammonium perchlorate, not to exceed 1% in water)	9	UN3082	III

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Waste, Flammable liquid, n.o.s. (1H-Tetrazole, not to exceed 1 percent in acetonitrile)	3	UN1993	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - All materials must be packaged in accordance with § 173.201 for liquids and § 173.211 for solids at the Packing Group I performance level.

b. OPERATIONAL CONTROLS -

(1) The maximum concentration of hazardous material per outer package may not exceed the concentrations listed in paragraph 6 for each respective material.

(2) The maximum net amount of desensitized explosive material (including diluent) per outer package may not exceed 10 Kg.

8. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

b. Transportation is only authorized one-way from the point of pickup to a waste management or disposal facility.

c. Packagings permanently marked 'DOT-E 12102', prior to October 1, 2006 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2006 must be marked 'DOT-SP 12102'.

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- d. Shipping papers displaying 'DOT-E 12102' may continue to be used until October 1, 2006, provided the special permit remains valid.
9. MODE(S) OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS:
- a. A current copy of this special permit must be carried aboard each cargo vessel used to transport packages covered by this special permit.
- b. Transportation must be by private motor carrier or cargo vessel.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

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Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR ' ' 171.15 B Immediate notice of certain hazardous materials incidents, and 171.16 B Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: RDT/sln